

New bills, Mr. President. (Read LB 1052-1056 by title for the first time. See pages 356-57 of the Legislative Journal.)

SENATOR HANNIBAL: I think we will proceed to General File.

CLERK: Mr. President, the first bill for consideration this afternoon is LB 459. It is a bill introduced by Senator Rod Johnson. (Read title.) The bill was read on January 21 of last year. It was referred to the Agriculture and Environment Committee for hearing. The bill was advanced to General File. I do have Ag and Environment Committee amendments, Mr. President.

SENATOR HANNIBAL: Senator Johnson, on the committee amendments.

SENATOR R. JOHNSON: Mr. President and members, originally drafted, the bill would have allowed the department to go from a mandatory participant in the noxious weed program to a voluntary participant. The committee amendments, however, after much discussion by the committee changes the thrust of the bill completely in not only keeping the department involved in the noxious weed program, but also lending it a hammer, so to speak, to assist the department in getting counties to participate in the noxious weed program and to make sure those counties are taking care of their noxious weed problems. We found that in some counties in the state there are a number of them that are very good about taking care of noxious weed programs or problems, but in other cases I have found, as testimony presented to the committee, that there are other counties that have done absolutely nothing. And the department, quite frankly, is not excited about this committee amendment, but the committee amendment would allow the Director of the Department of Agriculture, if he feels a county is not carrying out the program, the noxious weed program, can notify the Attorney General's Office who will then notify the state treasurer's office to withhold county road funds until they comply with the noxious weed program. Now, Senator Vickers asked and received an Attorney General's Opinion on this procedure. They said it was okay. There was some question about due process which I think Senator Vickers will be addressing later. But at this point I just want to say that the thrust of the committee amendment is to provide the director, Director Schroeder in this case, some authority in forcing